

The following Listing of Claims will replace all prior versions, and listings, of claims in the application.

**LISTING OF CLAIMS:**

1. (Currently Amended) A scroll fluid machine comprising:  
at least a one first scroll ~~(21)~~ having a spiral wrap ~~(24)~~ formed on an end plate ~~(23)~~;  
~~and a~~ at least one second scroll ~~(22)~~ having a spiral wrap ~~(24)~~ formed on an end plate ~~(23)~~, wherein; and

an adjustment member ~~(4a)~~ is provided to adjust ~~the~~ an amount of a space between the wrap ~~(24)~~ of one of the first and second scrolls ~~(21 or 22)~~ and the end plate ~~(23)~~ of the other one of the first and second scrolls, ~~scroll (22 or 21) and~~

the adjustment member ~~(4a)~~ ~~includes~~ including a deformable element ~~(40)~~ which changes ~~its~~ shape according to external input.

2. (Currently Amended) The scroll fluid machine of claim 1, wherein  
the deformable element ~~(40)~~ is formed at ~~the~~ a tip of at least one of the wraps ~~wrap~~ ~~(24)~~ and changes ~~its~~ shape along ~~the~~ a height of the wrap ~~(24)~~ to adjust the amount of the space.

3. (Currently Amended) The scroll fluid machine of claim 1, wherein  
the deformable element ~~(40)~~ is formed at ~~the~~ a tip of at least one of the wraps ~~wrap~~ ~~(24)~~ to extend over ~~the~~ a spiral of the wrap ~~(24)~~, and

the deformable element ~~(40)~~ changes ~~its~~ length along the spiral of the wrap ~~(24)~~ to adjust the amount of the space.

4. (Currently Amended) The scroll fluid machine of claim 3, wherein two or more deformable elements ~~(40)~~ are formed along the spiral of the wrap ~~(24)~~.
5. (Currently Amended) The scroll fluid machine of claim 1, wherein the deformable element ~~(40)~~ adjusts the amount of the space to vary a capacity.
6. (Currently Amended) The scroll fluid machine of claim 1, wherein the deformable element ~~(40)~~ adjusts the amount of the space to vary an angle of rotation at which fluid discharge begins.
7. (Currently Amended) The scroll fluid machine of claim 1, wherein a working chamber ~~(2a)~~ is defined between the first scroll ~~(21)~~ and the second scroll ~~(22)~~ and a discharge port ~~(2b)~~ for discharging fluid from the working chamber ~~(2a)~~ is provided with a discharge valve<sub>1</sub> and the wrap ~~(24)~~ is configured such that ~~the~~ a capacity of the working chamber ~~(2a)~~ becomes substantially zero after ~~the discharge~~ discharging fluid is terminated.
8. (Currently Amended) The scroll fluid machine of claim 1, wherein the deformable element ~~(40)~~ is provided at ~~the~~ a tip of at least one of the wraps ~~wrap~~ ~~(24)~~ and also functions as a seal between the end plate ~~(23)~~ and the wrap ~~(24)~~.
9. (Currently Amended) The scroll fluid machine of claim 1, wherein

the deformable element ~~(40)~~ is disposed in a recess ~~(25)~~ formed at ~~the~~ a tip of at least one of the wraps, wrap ~~(24)~~ and

the recess ~~(25)~~ is formed such that a wall of the recess ~~(25)~~ including an inner circumference surface of the wrap ~~(24)~~ has a thickness different from that of a wall of the recess ~~(25)~~ including an outer circumference surface of the wrap ~~(24)~~.

10. (Currently Amended) The scroll fluid machine of claim 1, wherein the first scroll ~~(21)~~ is a stationary scroll and the second scroll ~~(22)~~ is a moving scroll, and only the first scroll ~~(21)~~ is provided with the deformable element ~~(40)~~.

11. (Currently Amended) The scroll fluid machine of claim 1, wherein the deformable element ~~(40)~~ is made of a polymer actuator.